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11 Attorneys for Plaintiff  
12 FACEBOOK, INC.

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN JOSE DIVISION  
16

17 FACEBOOK, INC., a Delaware  
18 corporation,

19 Plaintiff,

20 v.

21 JEREMI FISHER; PHILIP POREMBSKI;  
22 RYAN SHIMEALL; and JOHN DOES 1-  
25, individuals; and CHOKO SYSTEMS  
23 LLC; HARM, INC.; PP WEB SERVICES  
24 LLC, iMEDIA ONLINE SERVICES LLC,  
and JOHN DOES 26-50, corporations,

25 Defendants.

Case No. C 09-05842 JF

**[PROPOSED] ORDER GRANTING  
MOTION FOR ADMINISTRATIVE  
RELIEF TO FILE UNDER SEAL THE  
SECOND DECLARATION OF JOSEPH P.  
CUTLER IN SUPPORT OF PLAINTIFF'S  
MOTION FOR TEMPORARY  
RESTRAINING ORDER**

26 Upon Consideration of Plaintiff Facebook, Inc.'s ("Facebook") Motion for Administrative  
27 Relief to File Under Seal the Second Declaration of Joseph P. Cutler in Support of Plaintiff's  
28

1 Motion for Temporary Restraining Order, the authorities provided therein, and the supporting  
2 Declaration of Joseph P. Cutler, the Court finds there to be good cause for granting Facebook's  
3 request to file under seal the document lodged in connection with Plaintiff's Motion for  
4 Temporary Restraining Order.

5 GOOD CAUSE having been shown, the Court finds that:

6 The parties possess overriding confidentiality interests that overcome the right of public  
7 access to the Second Declaration of Joseph P. Cutler in Support of Plaintiff's Motion for  
8 Temporary Restraining Order.

9 IT IS THEREFORE ORDERED that Facebook's Motion for Administrative Relief to File  
10 Under Seal the Second Declaration of Joseph P. Cutler in Support of Plaintiff's Motion for  
11 Temporary Restraining Order is GRANTED.

12 IT IS FURTHER ORDERED that the Clerk of the Court shall *file under seal* the  
13 unredacted documents referenced above, keeping those documents from public inspection in  
14 accordance with the procedure set forth in LR 79-5(f).

15 IT IS FURTHER ORDERED that no party to this action shall publish (by electronic  
16 means or otherwise) or directly or indirectly disclose or cause to be disclosed to the public, or to  
17 any person or entity that is not a party to this action or counsel to a party to this action, the  
18 unredacted documents, or any portion thereof that is redacted in the redacted documents, without  
19 an order from this Court granting permission to do so.

20  
21 Dated: \_\_\_\_\_  
22

23 \_\_\_\_\_  
24 The Honorable Jeremy Fogel  
25 United States District Judge  
26  
27  
28

1 DATED: December 17, 2009

PERKINS COIE LLP

3 By: /s/ Brian Hennessy

4 Brian Hennessy

Attorneys for Plaintiff Facebook, Inc.